

RESULTS OF INVESTIGATION: The dealer had repacked the Kiddy Kaps Tastitreat tablets from bulk stock and the Kiddy Kaps Vitamin Treat tablets from the 32,000-tablet drums. The bulk stock and the drums had been shipped as described above. The accompanying labeling was printed locally.

LIBELED: 2-23-62, W. Dist. N.Y.

CHARGE: 403(j)—while held for sale, the articles purported to be and were represented as foods for special dietary use by children, by reason of their vitamin content, and their labels (repacked) failed to bear, as required by regulations (Tastitreat) a statement of the proportion of the minimum daily requirement for vitamin A, vitamin B₁, vitamin C, riboflavin, and niacinamide, supplied by such food when consumed by children in a specified quantity during the period of one day; and (Vitamin Treat— 32- and 18-case lots) the statement "The need for calcium pantothenate in human nutrition has not been established."

The articles were also alleged to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7044.

DISPOSITION: 4-5-62. Consent—claimed by Republic Drug Co., Inc., and relabeled.

28491. Hematonic Formula capsules and B complex capsules. (F.D.C. No. 46747. S. Nos. 7-192/3 T.)

QUANTITY: 56 ctnd. btls. of Hematonic Formula capsules and 15 ctnd. btls. of B complex capsules, at Gloucester, Mass.

SHIPPED: Between 11-17-59 and 6-21-60, from Dallas, Tex.

LABEL IN PART: (Ctn. and btl.) "100 Capsules Hematonic Formula An Anti-Anemia Formula Vitamin B₁₂-B₁, Liver Stomach with Intrinsic Factors and Iron * * * Each capsule contains; * * * Folic Acid 1 Mg." and (ctn. and btl.) "100 Capsules High Potency B Complex With Vitamin B-12, Minerals, Liver, Lipotropes and Intrinsic Factors * * * Each Coated Tablet Contains: * * * Folic Acid 0.5 Mg."

LIBELED: 12-1-61, Dist. Mass.

CHARGE: 402(a) (2) (C)—while held for sale, the article contained a food additive, namely, folic acid, which is unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7012.

DISPOSITION: 1-15-62. Default—destruction.

28492. Saccharin tablets. (F.D.C. No. 47670. S. No. 73-846 T.)

QUANTITY: 1 drum, containing 50,000 1-gr. tablets; 3 drums, each containing 400,000 ¼-gr. tablets, 24 1,000 ½-gr. tablet btls., and 24 1,000 ¼-gr. tablet btls., at Brooklyn, N.Y., in possession of Jamco Co.

SHIPPED: 3-22-62 and 4-17-62, from Newark, N.J., by Certified Aspirin Corp.

LABEL IN PART: (Drum) "1 Grain [or "¼ grain"] Saacharin * * * Certified Aspirin Corp. 25 Prospect Street, Newark, N.J." and (btl.) "Jamco * * * Saccharin ½ Grain [or "¼ Grain"] Jamco Company Distributors—New York, N.Y."

RESULTS OF INVESTIGATION: Analysis showed that the article contained (1-gr. tablets) 80 percent, ($\frac{1}{2}$ -gr. tablets) 46 percent, and ($\frac{1}{4}$ -gr. tablets) 82 percent of the declared amounts of saccharin. The article in the bottles was repacked and labeled by the dealer from bulk stock shipped as described above.

LBELED: 6-21-62, E. Dist. N.Y.

CHARGE: 402(b)(1)—when shipped and while held for sale, the valuable constituent, namely, saccharin, had been in part omitted or abstracted from the article; and 403(a)—the label statements (drum) "1 Grain" and " $\frac{1}{4}$ Grain" and (btl.) " $\frac{1}{2}$ Grain" and " $\frac{1}{4}$ Grain" were false and misleading.

DISPOSITION: 7-27-62. Default—destruction.

28493. Gera-Vite tablets and M-C-V tablets. (F.D.C. No. 47401. S. Nos. 4-737/8 T.)

QUANTITY: 179 100-tablet btls. of Gera-Vite tablets and 123 100-tablet btls. of M-C-V tablets, at Norfolk, Va.

SHIPPED: 7-19-56 and 12-19-58, from Philadelphia, Pa.

LABEL IN PART: (Btl.) "Special Gera-Vite Formula Liver-Vitamin-Mineral Tablets Provides more than the minimum daily requirement of Vit B-1, Riboflavin and Iron" and "Improved Formula M-C-V Tablets * * * Minerals-Calcium-Vitamins Each Tablet Contains: * * * Folic Acid 0.25 mg. * * * Adult Dose: One to three tablets a day."

LBELED: 3-21-62, E. Dist. Va.

CHARGE: 402(a)(2)(C)—while held for sale, the M-C-V Tablets contained a food additive, namely, folic acid, which was unsafe within the meaning of 409, since it and its use, or intended use were not in conformity with a regulation or exemption in effect pursuant to 409; and 403(j)—the articles purported to be and were represented as food for special dietary use by reason of their vitamin and mineral content, and their labels failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement, for (Gera-Vite) thiamine chloride, riboflavin, ascorbic acid, niacinamide, calcium, phosphorus and iron, and (M-C-V tablets) vitamins A, D, B-1, B-2, calcium, iron, niacinamide, and ascorbic acid supplied by such food when consumed in a specified quantity during a period of one day.

DISPOSITION: 4-12-62. Default—destruction.

28494. Vitamin products. (F.D.C. No. 47554. S. Nos. 55-306/18 T.)

QUANTITY: 5 50-tablet btls., 3 100-tablet btls., and 3 250-tablet btls. of Formula 445; 11 100-tablet btls. of Formula 267; 4 250-tablet btls. of Formula 70; 4 100-tablet btls. and 3 250-tablet btls. of Formula 56; 2 500-tablet btls. and 22 250-tablet btls. of Formula 49; 7 50-tablet btls., 7 250-tablet btls. and 18 100-tablet btls. of BeBex; 2 500-tablet btls. of vitamin B complex; 1 1,080-tablet btl. and 4 180-tablet btls. of Nutrifax; 1 810-tablet btl. and 2 540-tablet btls. of Superfax; 4 5-lb. jars, 53 8-oz. jars, and 24 3-lb. jars of enriched nutritional yeast; 22 90-capsule btls. of Vitamin-mineral food supplement; 3 120-capsule btls. and 4 63-capsule btls. of Red Vite; and 1 270-tablet btl. and 2 90-tablet btls. of Vio-Min, at Jacksonville, Fla.

SHIPPED: On various unknown dates, from Los Angeles and Hollywood, Calif., York, Pa., and Yonkers, N.Y.

LABEL IN PART: "Formula 445 Organic Hematinic. Each Tablet Contains * * * Folic Acid 5 mgs."; "Formula 267 Vitamin B₁₂ Folic Acid in a base of